

### REMARKS

Claims 1-7, 10, and 14 are pending. Applicants have added new claim 15. Claims 1-7, 10, 14, and 15 will therefore be pending in the application upon entry of the proposed amendments.

Applicants have deleted the phrase "or a pharmaceutically acceptable salt or solvate thereof" at the end of claim 1.

Applicants have added "and" between the penultimate and final compound name recited in claim 7. As suggested by the Examiner, Applicants have rewritten the phrase "and pharmaceutically acceptable salts thereof" in claim 7 to read "or a pharmaceutically acceptable salt thereof."

Support for new claim 15 can be found throughout the specification, e.g., at page 10, lines 21-28, the Examples, and claim 14 as originally filed.

No new matter is introduced by these amendments.

The foregoing amendments are made for the sole purpose of expediting prosecution of the present application, and Applicants expressly reserve the right to pursue any canceled subject matter in one or more continuing applications

#### Rejection under 35 U.S.C. § 112, first paragraph

Claims 1-7, 10, and 14 are rejected for allegedly failing to meet the enablement requirement of 35 U.S.C. § 112, first paragraph. According to the Office (Office Action, page 3):

[T]he specification, while being enabling for a compound of formula (I) or a pharmaceutically acceptable salt does not reasonably provide enablement for a solvate of a compound of formula (I).

Applicants respectfully disagree with the grounds for the rejection; however, to expedite prosecution, Applicants have deleted the recitation of "solvates" from claim 1. In view of the foregoing, Applicants respectfully request that the rejection be reconsidered and withdrawn.

Applicant : Bonnert et al.  
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US

Claim Objections

Applicants respectfully request reconsideration and withdrawal of the claim objections set forth on page 6 of the Office Action in view of the above-described amendments to claims 1 and 7.

Applicants submit that all claims are in condition for allowance.

No fee is believed due. Please apply any other charges or credits to deposit account 06-1050, referencing Attorney Docket No. 06275-435US1// 100770-1P US.

Respectfully submitted,

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